UNITED STATES DISTRICT COURT

for the

Western District of North Carolina

United S	tates of America			
	V.)		
Damion Miller) Case No:	3:05CR339-04	
a/k/a "D-Moe") USM No:	21525-058	
Date of Original Judgmen				
Data of Last Amandad Iu	September 16, 2008) Paga Piahar	daan	
Date of Last Amended Ju-	ugment: (SEALED)) Ross Richar Defendant's A		
		Defendant 571	itomey	
Order R	egarding Motion for Sentenc	ce Reduction Pursu	ant to 18 U.S.C. § 3582(c)(2)	
§ 3582(c)(2) for a reduction subsequently been lowerer § 994(u), and having constant of the state of the stat	on in the term of imprisonment d and made retroactive by the	t imposed based on a United States Senter g into account the po	of Prisons the court under 18 a guideline sentencing range that a court commission pursuant to 2 policy statement set forth at USSC at they are applicable,	t has 8 U.S.C.
IT IS ORDERED that th	e motion is:			
■ DENIED.	GRANTED and the defenda		osed sentence of imprisonment (as reflected in
I. COURT DETERMIN	ATION OF GUIDELINE R	ANGE (Prior to Any)	Departures)	
Original Offense Level:	42	` •	ffense Level: 42	
Criminal History Category			story Category: III	
Original Guideline Range		Amended G	uideline Range: 360 months to	life
☐ The reduced sentence if ☐ The previous term of in ☐ of sentencing and the r ☐ The reduced sentence if ☐ Other (explain): Due guide	educed sentence is comparably is above the amended guideling to the cross-reference to §2A1.	te range. Is than the guideline to the standard	range applicable to the defendanded guideline range. rder) in Count One, there is no compared to the provides no change in the grant the grant to t	hange in the
to a Drug Trafficking C	convicted in Count Two of rime and Causing the Death	n of a Person Thro	ossess a Firearm During and ugh Use of a Firearm and Aid to Count One of this Indictme	ling and
Except as provided above	, all provisions of the judgmen	nt dated April 13,	shall remain in ef	fect.
IT IS SO ORDERED.	·			
Order Date: <u>Februar</u>	y 14, 2012	67	ianh Thither	·
Effective Date:		7		
(if differe	ent from order date)		D. Whitney	Y